

REMARKS

In the Office Action mailed July 5, 2007, the Examiner noted that claims 1-22 were pending and rejected all claims. Claims 2, 3, 5-8, 10-15, 17, 18, 20-22 have been amended, claims 1, 9 and 16 have been canceled and, thus, in view of the forgoing claims 2-8, 10-15 and 17-22 remain pending for reconsideration which is requested. No new matter has been added. The Examiner's rejections and objections are traversed below.

In the Office Action, the Examiner objected to claims 2, 3, 5, 6, 10, 11, 13, 14, 17, 18, 20 and 21. The claims have been amended in consideration of the Examiner's comments. If additional concerns with the claims arise, the Examiner is invited to telephone to resolve the same. Suggestions by the Examiner are also welcome. Withdrawal of the rejection is requested.

In the Office Action the Examiner rejected claims 9-15 under 35 U.S.C. section 101 as non-statutory. The claims have been amended in consideration of the Examiner's comments and it is submitted they satisfy the requirements of the statute. Withdrawal of the rejection is requested.

Page 3 of the Office Action rejects claims 1-22 under 35 U.S.C. § 103 over Matsubara and Suzuki.

On pages 5-6 in paragraph 23 of the Action the Examiner acknowledges "Matsubara does not teach a plant determination unit." (emphasis by Examiner). However, the Examiner seems to contradict this in paragraph 24 and points to Matsubara paragraphs 16, 21 and 22. These paragraphs of Matsubara particularly state:

[0016] FIG. 1 shows a system for intermediating, over a network, between consumers or users and one or more of secondhand shops, component traders, manufacturers, retail shops, repair shops, waste disposal factories, and the like (hereinafter referred collectively to as business concerns) that run business related to disposal and recycling or reuse of disused appliances. The system exemplified in FIG. 1 is formed of a recycling intermediation server machine (hereinafter sometimes referred to "server") 100 controlled and managed by a recycling intermediary, a secondhand shop server machine 120 managed and controlled by a secondhand shop, and a component trader server machine 130 managed and controlled by a component trader. The system also includes a manufacturer server machine 140 managed and controlled by an appliance manufacturer, a retail shop server machine 150 managed and controlled by an appliance shop, a repair shop server machine 160 managed and controlled by an appliance repair shop, a waste disposal factory server machine 170 managed and controlled by a waste treatment factory, and a consumer client machine 200 of a consumer who has a household appliance. These machines are connected

to the intermediation server 100 and or to each other via a network 50. A plurality of such machines 120-170 and a plurality of clients similar to the client 200 may be connected to the server 100 and/or to each other over the network 50.

(See Matsubara, paragraph 0016)

[0021] The recycling intermediation server machine 100 typically has a processor 101, a memory 103, e.g. a magnetic disc, a network interface 105 connected to the network 50, a display (not shown), and keyboard (not shown). The server machine 100 also has a recycling intermediation server function 102 implemented in the form of an application program stored in a memory. Alternatively, the server function 102 may be implemented as a dedicated processor in the form of hardware, e.g. an integrated circuit.

See Matsubara, paragraph 0021)

[0022] Each of the server machines 120, 130, 140, 150, 160 and 170 also has an arrangement similar to the server 100 and typically includes a processor, a memory, e.g. a magnetic disc, a network interface connected to the network 50, a display, and a keyboard. Each of the server machines 120, 130, 140, 150, 160 and 170 has also a corresponding server function implemented in the form of an application program stored in the memory. The server function may alternatively be implemented as a dedicated processor in the form of hardware, e.g. an integrated circuit.

(See Matsubara, paragraph 0022)

The above text says nothing about "a location management unit managing a location and a type of the received equipment; and a plant determination unit determining a plant which processes the equipment based on the location and the type of the equipment." (see claim 7). The Examiner appears to be using impermissible hindsight in making the rejection.

Claims 15 and 22 emphasize similar features.

It is submitted that the claims distinguishes over the prior art and withdrawal of the rejection is requested.

The dependent claims depend from the above-discussed independent claims and are patentable over the prior art for the reasons discussed above. The dependent claims also recite additional features not taught or suggested by the prior art. For example, claim 2 calls for "a charge determination unit determining whether or not a user is to bear a charge for recycle". The Examiner points to Matsubara paragraphs 6, 7, 25 and 31-37. In this text Matsubara discusses determining a price for recycling but does discuss determining whether the user is to bear the cost. This text of Matsubara does not say what the Examiner asserts it says. It is submitted that the dependent claims are independently patentable over the prior art.

It is submitted that the claims satisfy the requirements of 35 U.S.C. 101 and 112. It is further submitted that the claims are not taught, disclosed or suggested by the prior art. The claims are therefore in a condition suitable for allowance. An early Notice of Allowance is requested.

If any further fees, other than and except for the issue fee, are necessary with respect to this paper, the U.S.P.T.O. is requested to obtain the same from deposit account number 19-3935.

Respectfully submitted,

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